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PATENT  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: EBY, ET AL.

Serial No.: 10/626,080

Filed: JULY 24, 2003

Title: DESKTOP FILING SYSTEM

Group Art Unit: 3634

Examiner: Robert W. Gibson

) I hereby certify that this paper is  
being deposited with the United  
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Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450,  
on November 23, 2004.  
\_\_\_\_\_  
Thomas A. Miller  
Reg. No.: 40,091

### RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. §1.47(A)

Mail Stop Petitions  
Senior Petitions Attorney Douglas I. Wood  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Mr. Wood:

In response to the decision dated September 7, 2004 dismissing the petition filed under 37 CFR 1.47(a), applicants enclose herewith a new declaration signed by inventor David C. Eby. As the decision stated that the petition was acceptable but for such a declaration, and such declaration is enclosed with this petition, applicants respectfully submit that the petition is in condition for grant and respectfully solicits same. Should the Examiner have any questions, he is invited to telephone the undersigned.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

November 23, 2004

By:

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